



16085 U.S.PTO

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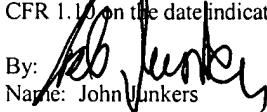
## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DOCKET NUMBER		ANTICIPATED CLASSIFICATION OF THIS APPLICATION:		PRIOR APPLICATION	
		CLASS	SUBCLASS	EXAMINER	ART UNIT
13045.20USC1		606	048000	R. Kearney	3739

## CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV347836179US  
 Date of Deposit: February 6, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By:   
 Name: John Junkers

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17497 U.S.PTO

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## CONTINUATION APPLICATION UNDER 37 C.F.R. § 1.53(b)

Mail Stop PATENT APPLICATION  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir:

This is a request for filing a continuation application under 37 CFR § 1.53(b) of Serial No. 09/802,288, filed on March 8, 2001 entitled ELECTROSURGICAL DEVICE HAVING A TISSUE REDUCTION SENSOR by the following inventor(s):

Full Name Of Inventor	Family Name McClurken	First Given Name Michael	Second Given Name E.
Residence & Citizenship	City Durham	State or Foreign Country New Hampshire	Country of Citizenship USA
Post Office Address	Post Office Address 26 Deer Meadow Road	City Durham	State & Zip Code/Country New Hampshire, 03824 / USA

1.  Enclosed is a copy of the prior application; including the specification, claims, drawings, a signed oath or declaration, and any amendments referred to in the oath or declaration filed to complete the prior application. The continuing application is as follows: 23 pages of specification, 36 claims, 1 page of abstract, 10 sheets of drawings, and 4 pages of oath or declaration.
2.  The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
3.  Cancel original claims 2-36 of this application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
3.  The filing fee is calculated below:

CLAIMS AS FILED

NUMBER FILED	NUMBER EXTRA		RATE	FEE
<b>TOTAL CLAIMS:</b> 1 -20	0	x	\$18.00	0.00
<b>INDEPENDENT CLAIMS</b> 1 -3	0	x	\$86.00	0.00
			<b>BASIC FILING FEE:</b>	<b>\$770.00</b>
			<b>TOTAL FILING FEE:</b>	<b>770.00</b>

Small entity status is claimed pursuant to 37 CFR 1.27.

4.  Payment of fees:
 

- Attached is a check in the amount of 770.00
- Please charge Deposit Account No. 13-2725.

5.  The Commissioner is hereby authorized to charge any additional fees as set forth in 37 CFR §§ 1.16 to 1.18 which may be required by this paper or credit any overpayment to Account No. 13-2725.

6.  Amend the specification by inserting before the first line of the first page the paragraph:

"This application is a continuation of application Serial No. 09/802,288, filed March 8, 2001, which is incorporated herein by reference."

7.  A set of formal drawings (10 sheets) is enclosed.

8.  Priority of application Serial No. , filed on in , is claimed under 35 U.S.C. 119.
 

- The certified copy has been filed in prior application Serial No. , filed .

9.  The prior application is assigned of record to TISSUELINK MEDICAL, INC. located at Dover, New Hampshire.

10.  The Power of Attorney in the prior application is to:

Merchant & Gould P.C.  
Minneapolis, MN 55402-2215

11.  A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

Fee for excess claims is attached.

12.  A petition and fee has been filed to extend the term in the prior application until . A copy of the petition for extension of time in the prior application is attached.

13.  The inventor(s) in this application are less than those named in the prior application and it is requested that the following inventors identified above for the prior application be deleted:

- 14.  A Nonpublication Request under 37 CFR 1.213(a) is enclosed.
- 15.  Also Enclosed:
- 16.  Address all future communications to the **Attention of Mara E. Liepa** (may only be completed by attorney or agent of record) at the address below.
- 17.  A return postcard is enclosed.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903  
612.332.5300

**23552**  
PATENT TRADEMARK OFFICE

Date: 6 Feb 2004

  
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Mara E. Liepa  
Reg. No. 40,066  
MELIEPA:rlr